

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

GUY McEACHIN,

Plaintiff,

v.

No. 9:04-CV-0083  
(FJS/RFT)

DONALD SELSKY; JEFF MINNERLY,  
VIRGINIA ANDROSKO; and  
PORTEN, Corrections Officer,

Defendants.

---

APPEARANCES:

OF COUNSEL:

GUY McEACHIN  
171 Linden Blvd., #1B  
Brooklyn, New York 11226  
Plaintiff *pro se*

**FOR DEFENDANTS:**

HON. ANDREW M. CUOMO  
Attorney General of the State of New York  
Attorney for Defendants  
144 Exchange Boulevard  
Suite 200  
Rochester, New York 14614

GARY M. LEVINE, ESQ.  
Assistant Attorney General

**FREDERICK J. SCULLIN, JR., S.J.:**

**ORDER**

Currently before the Court is Magistrate Judge Randolph F. Treece's Report-

Recommendation and Order filed March 30, 2010, to which the parties have filed no objections.

On April 12, 2010, this Court granted Plaintiff's request to extend his deadline to submit objections to Magistrate Judge Treece's Report-Recommendation and Order to June 14, 2010.

Thereafter, Plaintiff filed no objections to said Report-Recommendation and Order.

Accordingly, having reviewed that Report-Recommendation and Order and the entire file in this matter, the Court hereby


**ORDERS** that Magistrate Judge Treece's March 30, 2010 Report-Recommendation and Order is **ACCEPTED IN ITS ENTIRETY** for the reasons stated therein; and the Court further

**ORDERS** Defendants' motion for summary judgment is **GRANTED** and the entire complaint is **DISMISSED**; and the Court further

**ORDERS** the Clerk of the Court shall serve a copy of this Order on the parties in accordance with the Local Rules.

**IT IS SO ORDERED.**

DATED: August 17, 2010  
Syracuse, New York

  
\_\_\_\_\_  
Frederick J. Scullin, Jr.  
Senior United States District Court Judge